

MAR. 23. 2005 4:21PM

513 241 6234

RECEIVED
CENTRAL FAX CENTER

NO. 0742 P. 1

MAR 23 2005

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DONALD F. FREI
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT M. LUKEAN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPP
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.
KRISTI L. DAVIDSON

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917
TELEPHONE: 513-241-2324
FACSIMILE: 513-241-6234
EMAIL: Info@whepatl.com
PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1988
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. PRITCHARD
J. DWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLEN
BRETT A. SCHAYZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LAGODA, PH.D.

March 23, 2005

FACSIMILE COVER SHEET

To: Examiner Naghmeh Mehipour
Group Unit No. 2681
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax: 703-872-9306

From: Thomas W. Humphrey
Re: Our File: IBM-215
US Application Serial No. 10/056,738
Filed January 25, 2002
METHOD OF CONTROLLING THE
AUDITORY RESPONSE OF
WIRELESS DEVICES
Humphrey et al.

Pages: 13 (including cover sheet)

MESSAGE/COMMENTS

Confirmation copy will not follow.

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

MAR. 23. 2005 4:21PM

513 241 6234

RECEIVED
CENTRAL FAX CENTER

NO. 0742 P. 2

MAR 23 2005

PATENT
ATTY. DOCKET NO. IBM/215

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Humphrey et al. Art Unit: 2681
 Serial No. : 10/056,738 Examiner: Naghmeh Mehrpour
 Filed : January 25, 2002
 For : METHOD OF CONTROLLING THE AUDITORY RESPONSE OF WIRELESS
 DEVICES

Mail Stop AMENDMENT
 Commissioner of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

*Via Facsimile*AMENDMENT TRANSMITTAL

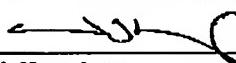
- Transmitted herewith is a Response to Office Action.
- Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 Enclosed is a verified statement to establish Small Entity status.
- Other than a Small Entity

3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	15	MTNUS	20	0	x \$25	\$0	x \$50	\$0
INDEP.	3	MINUS	3	0	x \$100	\$0	x \$200	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+\$180	\$0	+\$360	\$0	
TOTALS				TOTAL FEE	\$0	TOTAL FEE	\$0	

Additional fee for claims is required.

I hereby certify that this correspondence is being sent via facsimile (703-872-9306) to Examiner in Art Unit 2681 at Mail Stop: Amendment, U.S. Patent Office, P.O. Box 1450, Alexandria, VA 22313-1450; March 23, 2005


 Thomas W. Humphrey
 Reg. No. 34,353

4. Attached is a check in the sum of \$. Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
one month	\$ 120.00	\$ 60.00
two months	\$ 450.00	\$225.00
three months	\$1020.00	\$510.00
four months	\$1590.00	\$795.00
five months	\$2160.00	\$1080.00

Extension fee due with this request \$_____.

If an additional extension of time is required, please consider this a petition therefor. (Check and complete the next item, if applicable)

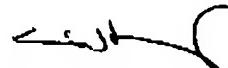
 An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$_____.

OR

(b) X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

X If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,



Thomas W. Humphrey
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917
Voice: (513) 241-2324
Facsimile: (513) 241-6234

MAR. 23. 2005 4:22PM 513 241 6234

RECEIVED
CENTRAL FAX CENTER NO. 0742 P. 4

MAR 23 2005

PATENT
ATTY. DOCKET NO. IBM/215

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Humphrey et al. Art Unit: 2681
Serial No. : 10/056,738 Examiner: Naghmeh Mehrpour
Filed : January 25, 2002
For : METHOD OF CONTROLLING THE AUDITORY RESPONSE OF
WIRELESS DEVICES

Mail Stop Non-Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via Facsimile

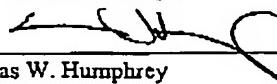
RESPONSE TO OFFICE ACTION
This paper is in response to the Office Action mailed
December 23, 2004.

Claim amendments begin on page 2 of this paper.

Specification amendments begin on page 6 of this paper.

Remarks begin on page 7 of this paper.

I hereby certify that this correspondence is being sent via
facsimile (703-872-9306) to Examiner in Art Unit 2681 at
U.S. Patent Office, P.O. Box 1450, Alexandria, VA 22313-
1450: March 23, 2005


Thomas W. Humphrey
Reg. No. 34,353